

05/01/01  
J1047 U.S. PTO

05-02-01

*2/2/Ampt a*  
*6-20-01*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Docket No. 51126CON1  
Anticipated Classification of  
this application: Class 455  
Prior Application:  
Examiner: Davis, T.  
Art Unit: 2681

I hereby certify that this document is being  
deposited with the United States Postal Service  
"EXPRESS MAIL POST OFFICE TO ADDRESSEE"  
service under 37 C.F.R. Section 1.10 and  
addressed to the Assistant Commissioner of  
Patents and Trademarks, Washington, D.C. 20231.  
Date: 5/1/01 By: DOVE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Express Mail No.: EL 818222217US

Sir: This is a request for filing a

☒ Continuation

☐ Divisional

of pending prior application Serial No. 09/138,491 filed on August 24, 1998 of Holt et al.

for **High Capacity Broadband Cellular/PCS Base Station Using a Phased Array Antenna**

1. ☒ Enclosed is a copy of the prior application, including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy.
2. ☐ Prepare a copy of the prior application.
3. ☒ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
4. ☒ The filing fee is calculated below:

**CLAIMS AS FILED IN THE PRIOR APPLICATION, LESS ANY  
CLAIMS CANCELED BY AMENDMENT BELOW**

	(Col. 1)		(Col. 2)		SMALL ENTITY			LARGE ENTITY	
FOR:	# FILED		# EXTRA		RATE	FEE		RATE	FEE
BASIC FEE						\$ 355	OR		\$ 710
TOTAL CLAIMS	10	-20	2		X 9	\$	OR	X 18	\$ 0
INDEP. CLAIMS	2	-3	2		X 40	\$	OR	X 80	\$ 0
[ ] MULTIPLE DEPENDENT CLAIM PRESENTED					130	\$	OR		
* If the difference in Col. 1 is less than "0", enter "0" in Col. 2.					TOTAL	\$ --		TOTAL	\$ 710

5. ☒ Authorization is given to charge the filing fee in the amount of \$710.00 to Deposit Account No. 08-0870. If any additional extension and/or fee is required, or if any additional fee for claims is required, charge Account No. 08-0870.
6. ☒ Cancel in this application original claims 2-9 of the prior application before calculating the filing fee.
7. ☒ Amend the specification by inserting before the first line the sentence: --This application is a continuation of pending Application Serial No. 09/138,491 filed August 24, 1998--.

*At pub B1*

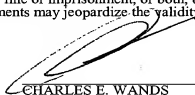
8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by Rule 138 and before payment of base issue fee.)
- 9a. ☒ New formal drawings are enclosed.
- 9b. ☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ is claimed under 35 U.S.C. 119. (country)
- 9c. ☐ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_.
10. ☒ The prior application is assigned of record to Harris Corporation.
11. ☒ The power of attorney in the prior application is to:  
Charles E. Wands, Esq. Reg. No. 25,649, Law Offices of Charles E. Wands, 5240 Babcock Street, NE,  
Palm Bay, FL 32905 (321) 725-4760.  
 (name, registration number and address)
- a. ☒ The power appears in the original papers in the prior application.
- b. ☒ Associate Power of Attorney filed August 8 2000.
- c. ☒ Continue to address all future communications to:  
Charles E. Wands, Allen, Dyer, Doppelt,  
Milbrath, Gilchrist, P.A., 5240 Babcock St, NE,  
Suite 211, Palm Bay, FL 32905  
(321) 725-4760
12. ☐ Small entity status of this application under 37 CFR 1.19 and 1.27 has been established by a verified statement previously submitted.
13. ☒ I hereby verify that the attached papers are a true copy of prior application Serial No. 09/138,491 as originally filed on August 24, 1998.

The undersigned declare(s) further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

May 1, 2001  
 Date

Address of signator:

ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST  
5240 Babcock St, NE Suite 211  
Palm Bay, FL 32905  
(321) 725-4760

  
 CHARLES E. WANDS  
 Registration No. 25,649

- ☐ Inventor(s)  
☒ Assignee of complete interest  
☐ Attorney or agent of record  
☐ Filed under Rule 34(a)

**PATENT APPLICATION TRANSMITTAL LETTER**  
(Large Entity)

Docket No.  
118/35611

**TO THE ASSISTANT COMMISSIONER FOR PATENTS**

Transmitted herewith for filing under 35 U.S.C. 111 and 37 C.F.R. 1.53 is the patent application of:

**BRIAN P. HOLT, ROBERT C. HILDEBRAND AND JULIAN BARTOW WILLINGHAM**

For: **HIGH CAPACITY BROADBAND CELLULAR/PCS BASE STATION USING A PHASED ARRAY ANTENNA**

Enclosed are:

- ☒ Certificate of Mailing with Express Mail Mailing Label No. EM403217002US  
☒ 2 sheets of drawings.  
☐ A certified copy of a application.  
☒ Declaration ☒ Signed. ☐ Unsigned.  
☒ Power of Attorney  
☒ Information Disclosure Statement  
☐ Preliminary Amendment  
☒ Other: **ASSIGNMENT DOCUMENT, TRANSMITTAL FORM & FEE OF \$40**

**CLAIMS AS FILED**

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	9	- 20 =	0	x \$22.00	\$0.00
Indep. Claims	2	- 3 =	0	x \$82.00	\$0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$790.00
TOTAL FILING FEE					\$790.00

- ☒ A check in the amount of \$790.00 to cover the filing fee is enclosed.  
☐ The Commissioner is hereby authorized to charge and credit Deposit Account No. 23-0385 as described below. A duplicate copy of this sheet is enclosed.  
☐ Charge the amount of as filing fee.  
☒ Credit any overpayment.  
☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.  
☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: **AUGUST 24, 1998**

*Signature*

**CHARLES E. WANDS**  
REG. NO. 25,649  
5240 BABCOCK STREET NE, STE. 211  
PALM BAY, FLORIDA 32905

cc:

11002 U.S. PTO  
09/04/98  
05/01/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
HOLT ET AL )  
 )  
Serial No. Not yet Assigned )  
This application is a Rule 53 )  
Continuation of USSN: 09/138,491 )  
 )  
Filing Date: August 24, 1998 )  
 )  
For: HIGH CAPACITY BROADBAND )  
CELLULAR/PCS BASE STATION )  
USING A PHASED ARRAY ANTENNA )  
 )

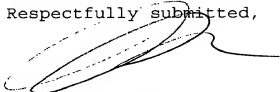
TRANSMITTAL OF FORMAL DRAWINGS

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed are two (2) sheets of formal drawings to be  
filed in the above-identified patent application.

Respectfully submitted,



\_\_\_\_\_  
CHARLES E. WANDS  
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Allen, Dyer, Doppelt, Milbrath  
& Gilchrist, P.A.  
255 S. Orange Ave., Suite 1401  
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09/138,491